



LEAGUE OF WOMEN VOTERS®
OF THE UNITED STATES

President

Mary G. Wilson
Albuquerque, New Mexico

March 11, 2009

Vice Presidents

Elisabeth MacNamara
Atlanta, Georgia

Senator Charles Schumer
Chairman, Committee on Rules and Administration
U.S. Senate
Washington, DC

Judy Duffy

Birchwood, Minnesota

Dear Mr. Chairman:

Secretary-Treasurer

Elaine M. Wiant
Dallas, Texas

We are writing to provide our perspective on current problems in voter registration. We ask that this letter be included in the record of the hearing the Rules Committee held on this subject today.

Directors

Judith S. Davis
Memphis, Tennessee

The single most important issue in voter registration is the failure of the states to fully implement -- and the failure of the U.S. Department of Justice to enforce -- Section 7 of the National Voter Registration Act of 1993. Section 7 requires that states provide extensive voter registration opportunities at public assistance and disability agencies. Registration figures indicate, and investigations by outside organizations confirm, that most states are not implementing the law.

Nancy J. Eitreim
Seattle, Washington

Stephanie Y. Johnson
Little Rock, Arkansas

In the first years after enactment of the NVRA, registration from social service agencies was significant but not large. Since then, however, registration has dropped precipitously, resulting in the loss of millions of voters from the voter rolls according to work by Project Vote, Demos, and others.

Mary T. Klenz
Charlotte, North Carolina

Janis McMillen
Overland Park, Kansas

While the Department of Justice is responsible for enforcing Section 7, the performance of the Department has been lackluster at best. Few cases have been brought and there is no clear enforcement strategy.

Marcia A. Merrins
Fredonia, New York

Carolie Mullan
Lubbock, Texas

The League of Women Voters urges the Committee to address this issue. We ask that you call attention to the failure of the states to fully implement Section 7 and we urge you to explore with the Department of Justice what enforcement strategies might be pursued. If states were simply to reinstate their earlier programs, it would result in the registration of millions of eligible citizens. If states had clear direction from the Department of Justice, additional significant improvements could be made.

Carol Reimers
New York, New York

Norman Turrill
Portland, Oregon

Because of the number of potential voters involved, full implementation of Section 7 is critically important. Because enforcement is essential for any program designed to protect voters, effective enforcement of Section 7 by the Department of Justice deserves special attention.

Dianne Wheatley-Giliotti
Palm Harbor, Florida

Executive Director
Nancy E. Tate

We also believe that there are opportunities to enhance voter registration through designation of federal offices as voter registration agencies under the NVRA,



such as the Veterans Administration, naturalization services, Supplemental Security Income, and other programs.

The League is also concerned about limitations on third-party voter registration drives by states and localities. In 2005, the League of Women Voters of Florida was forced to stop all its voter registration activities in that state because of burdensome restrictions that could have resulted in bankrupting that League. The Florida League challenged these restrictions in the courts, but, unfortunately, this was not an isolated example of a state acting in a way that undermines voter registration.

Organizations such as the League are crucial to assuring that voter registration is available to every voter, but the facts also show conclusively that we are key to assuring that minority voters have access to registration. In 2004, approximately 8.5 percent of registrants had been registered by the efforts of third party organizations, according to the Bureau of the Census. The data also make clear who is impacted by restrictions on third-party voter registration efforts. In 2004, 15 percent of African-American and Hispanic registrants had been registered to vote as a result of an organized drive – a rate much higher than the 8.9 percent rate for Whites.

We urge the Committee to look into the limitations that states and localities place on voter registration activities by outside organizations such as the League.

We are also concerned about the operation of statewide voter registration databases. The Help America Vote Act of 2002 requires each state to implement a single, uniform, computerized statewide voter registration list to serve as the official voter list for the conduct of all elections for Federal office.

Statewide databases should be designed to streamline communication among voter registration agencies and to improve election administration. In many instances, however, “no match” rules, lack of clear statewide administration and other problems have undermined rather than enhanced voter registration. Properly implemented statewide databases should ensure that once registered, no eligible voter will be removed from the official list because he or she has moved within the state.

We urge the Committee to work with the Election Assistance Commission, the Department of Justice and the states to encourage proper implementation of statewide voter registration databases. Effective management of state voter lists is the necessary starting point for any discussion of improvements in voter registration systems.

A closely related issue is the question of purging. Both HAVA and the NVRA have provisions to ensure that eligible voters are not dropped from the registration list. Anecdotal evidence suggests that these protections are not always followed. For example, many jurisdictions seemingly purge voters within 90 days of an election, which is prohibited.

Thank you for the opportunity to provide our views on these voter registration issues. As you know, restrictions on voter registration remain as the single largest barrier to voter participation, especially when the number of affected persons is considered. We commend the Committee for your work in this area.

Sincerely,

Mary G. Wilson
President